

Fair and continued cold tonight. Tomorrow partly cloudy.

# The Washington Times

THE PAPER THAT GOES TO THE HOME WITH THE HOME GOERS

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## PROSECUTOR RAND SEEKS TO DRAG IN J. MORGAN SMITH

May Be Compelled to Obtain Separate Indictments.

### COUNSEL ARGUE POINT

Case Against Miss Patterson Strengthened by the Ruse.

NEW YORK, Dec. 14.—The prosecution's case against Nan Patterson, the "Florence" girl charged with killing her lover, "Cesar" Young, will depend to a great degree on the decision of Justice Davis, who will today determine whether the State may adduce evidence connecting J. Morgan Smith, brother-in-law of the defendant, directly with the crime alleged, without finding separate indictments.

It was to hear this decision that the court room where the young woman is being tried was crowded this morning for the first time in many days.

#### Rand's Accusations.

Prosecutor Rand, when the defense objected to the introduction yesterday afternoon of testimony tending to show that Smith had evaded a witness' subpoena, and had left the jurisdiction of the State, asked that the jury be excused and then charged that Young was killed as the result of a conspiracy between J. Morgan Smith, his wife, and the defendant. The prosecutor explained that it was not the intention in the first instance to kill Young, but to do him a wrong.

#### Smith Ran Away.

The prosecutor followed this statement by saying: "We intend to prove that Smith ran away suddenly—so suddenly, in fact, that Nan's father had to carry him in his clothes. We will show that this was after a conference between her father and her counsel and Smith."

When Rand made this flat-headed charge, the prosecutor turned to Abe Levy, chief counsel for the defense, and said:

"I exclude you from that charge."

## RAND WILL PROVE PLOT, HE SAYS

As the climax to a series of successive defeats that had shaken the prosecution in Nan Patterson's trial, Assistant District Attorney Rand has suddenly changed his entire method of trying to prove the guilt of the young woman, and in an argument yesterday before Justice Davis announced that he would show there had been a conspiracy against Caesar Young, and that the parties to this conspiracy were Nan Patterson, J. Morgan Smith, her brother-in-law, and Mrs. Smith, her sister.

Mr. Rand announced that it was not the object of the conspirators to kill Young, but to injure him in another way.

The remarkable assertion of the prosecutor came when he was trying to show why certain evidence relating to the absence of Smith should be admitted.

#### Forced to Show Hand.

He tried to get the evidence in without disclosing his ultimate object, but Levy and Unger, attorneys for Miss Patterson, had objected so strongly and had argued so effectively against the admission of the evidence that, almost in despair, the prosecutor decided on the new course, and announced that he would prove conspiracy. But even in this he was defeated, for Justice Davis asserted that if Smith and his wife were co-conspirators, they had done after the conspiracy came to a head could be admitted against the defendant.

Unable to move the justice from his decision, Mr. Rand finally appealed for time to consult with Assistant District Attorney Gaus, who handles the appeals for the district attorney's office, and ask him to look up decisions of the court of appeals on the question.

#### In Hurried Flight.

Before listening to the argument on the admission of evidence as to Smith's absence, Justice Davis dismissed the jury for the day. Mr. Rand then said he would show Smith had absented himself after a conference with the defendant's attorneys, and so hurried was his flight that John R. Patterson, the young woman's father, had to send the missing witness his clothes from the hotel.

The announcement that the prosecution (Continued on Second Page.)

## THE WEATHER REPORT.

Rain is indicated for tonight in Florida and along the South Atlantic Coast, and snow in the interior of the South Atlantic States. The weather Thursday will be generally fair, except on the South Atlantic Coast, where rain will continue.

It will be colder tonight in the lower Mississippi valley and the East Gulf States.

#### TEMPERATURE.

9 a. m. 12  
12 noon 12  
1 p. m. 12  
2 p. m. 12

#### DOWNTOWN TEMPERATURE.

(Registered Allen's Standard Thermometer.)  
9 a. m. 12  
12 noon 12  
1 p. m. 12  
2 p. m. 12

#### TEMPERATURE.

Sun sets today 4:39 p. m.  
Sun rises tomorrow 7:19 a. m.

#### TIDE TABLE.

High tide today 1:23 p. m.  
Low tide today 7:38 p. m.  
High tide tomorrow 1:40 a. m., 2:15 p. m.  
Low tide tomorrow 8:22 a. m., 3:30 p. m.

## MORMONS TAKING OATHS OF ENDOWMENT HOUSE



### THE ENDOWMENT GARMENT.

This "Union Suit" Is Never Wholly Removed From the Body of the Good Mormon.

Mormon Endowment House oaths have always been spoken of as obligations of a dreadful character, but never until yesterday has it been possible for the Senate Committee on Privileges and Elections to hear directly from a sworn witness just what the oaths are and what penalties are attached for revealing them.

They were repeated to the Senators sitting in the Smoot inquiry by J. M. Wallis, of Salt Lake City, a witness subpoenaed by the committee on request of Attorney R. W. Taylor, of counsel for the protestants.

Every Mormon who goes through the Endowment House must first put on

what is popularly known as a "union suit"—a one-piece garment covering the body from head to foot. From that moment to the end of life, a good Mormon never wholly removes such a garment from his person, according to the declaration of those who have been investigating the Mormon practices.

He may take off part of it at one time and part at another, but never draws a breath but that some part of his body is incased in the garment (or a duplicate) worn when he went through the endowment house.

The verbatim oaths concerning which Wallis testified are given hereafter. In repeating the fifth obligation,

### OATH OF SECOND AARONIC PRIESTHOOD.

The Left Hand Is Raised Above the Head and the Right Hand Is Held Forward With the Palm Upward.

the oath of vengeance, however, the witness stated it as applying to "the nations of the world," instead of only to "this nation," the latter being the form in which the protestants claim it is really administered.

Today, however, Witness Wallis corrected his testimony of yesterday, and repeated the "law of vengeance," making it applicable to "this nation" only.

Obligations of secrecy taken by every Mormon elder in the Endowment House before going on any mission, and on being raised to the priesthood:

1. We, and each of us, do solemnly covenant and promise that we will

### SECOND MELCHISEDEK PRIESTHOOD.

Both Hands Are Uplifted With the Palms to the Front and the Eyes Are Raised to the Heavens.

never reveal any of this, the first token of the Aaronic priesthood, word, sign, token or penalty. Should we do so, we agree that our throats may be cut and our tongues torn out by the roots.

2. We, and each of us, do solemnly covenant and promise that we will never reveal any of this, the second Aaronic priesthood, word, sign, token, or penalty. Should we do so we agree that our left breasts may be torn open and our heart and vitals taken therefrom.

3. We, and each of us, do solemnly covenant and agree that we will never reveal any of this, the first Melchizedek priesthood, word, sign, token, or penalty.

Should we do so we agree that our bellies may be sawn asunder and our bowels gush out.

4. Law of sacrifice.—We, and each of us, do solemnly covenant and agree that we will sacrifice our time, talents, and property to the upbuilding of the Church of Jesus Christ and Latter Day Saints.

5. The law of vengeance.—We, and each of us, do solemnly covenant and agree that we will pray, and never cease to pray, Almighty God to avenge the blood of the prophets upon this nation, and that we will teach the same unto our children and our children's children, until the third and fourth generation.

## TELLS OF CANNON'S PLURAL MARRIAGE

Tearful Widow Says Apostle's Death Was Due to Remorse on Taking Fourth Wife After Manifesto.

A recital by a seething woman of how her husband had gone away from their home to take another woman as a plural wife, and how he had returned home and died within a month afterward—his end hastened, in the witness' opinion, by remorse—was the principal feature of the Smoot inquiry today, before the Senate Committee on Privileges and Elections.

The witness was Mrs. Fred Ellis, of Salt Lake City, who was a daughter of Angus Cannon and married Apostle Abraham H. Cannon as his plural wife. Apostle Cannon had first married Emily Jenkins, then Welhelmina Cannon (now Mrs. Ellis); then Mary Croxall, and finally Lillian Hamlin.

This last marriage was the one which was brought forward prominently last spring, when President Joseph F. Smith, was on the witness stand. F. Smith, who was the witness stand. F. Smith, who was the witness stand. F. Smith, who was the witness stand.

Today Mrs. Ellis described how her husband had announced his intention of going to California to marry Lillian Hamlin, and that she had packed his baggage for him. The marriage took place, she believed, between June 12 and July 2, and said that her husband on his return, had confessed to her that he had been married.

He became ill two weeks later, witness said, and complained of pains in his head and chest; became worse and finally died within one month of the ceremony, the date being July 19, 1896.

At this point Mrs. Ellis broke down and between her answers sobbed continually. Attorney Taylor proceeded with his questions slowly and gently and the witness gave her responses in low tones. She told of Apostle Cannon's funeral from her house. Services followed at the tabernacle in the presence of an enormous crowd.

Her husband's death, witness thought, was due to mental anguish in consequence of his fourth marriage.

"He did not have a well day after returning from that trip," she said. "He told me of the marriage and asked my forgiveness. He was a conscientious man, and I think he believed he had broken the law."

"Do you mean the statutes or the manifesto?" inquired Van Cott, of Smoot's counsel.

"The statutes and the manifesto both," was the reply.

On further cross-examination, witness said she had objected to Cannon marrying Lillian Hamlin, because she thought "such things could not be" after the manifesto. She had also gone to President Smith, to ask him if such things could be, but withholding the names of the persons concerned, Smith was not then president of the Mormon Church, but said a marriage of that sort could not take place. She repeated what she had previously testified to concerning Cannon's "not having had a well day afterward."

Two Witnesses Recalled.

Two witnesses who had been on the stand yesterday were recalled. They were George Reynolds, of Salt Lake City, the fourth of the seven "presidents of secessions," who wished to make some corrections in his testimony, and J. H. Wallis, the witness who gave the Endowment House oaths.

Witness Wallis said he wished to correct his version of yesterday referring to the nations of the world, and said he intended to say instead "this nation" as the one referred to in the "law of vengeance."

Witness was asked by Mr. Worthington whether he had ever reduced to writing the obligations of the Endowment House. He answered "No," but had told the substance to many Gentiles and Mormons alike, although he could not at this time recall any names except Mr. Owen, the anti-Mormon investigator.

Pressing for an explanation of how witness came to desire the correction, Mr. Worthington gained the following answer:

"When I read the report of my testimony in a newspaper last evening, I found that I had made this mistake. It was because I was confused here in this meeting. I did not speak to anyone about the matter until I came here this morning, when I mentioned it to Mr. Owen."

## SENATORS FILL COMMITTEE GAPS

Knox Made Chairman of Coast Defenses.

### CRANE AND DICK PLACED

New Pennsylvania Senator Loses to Senator Spooner in Judiciary Committee Aspirations.

Vacancies in the Senate standing committees caused by the death of Senators Hanna, Quay and Hoar have been filled. The report of the changes made necessary was submitted to and approved by the Senate today. The greatest interest concerns the assignments of the new Senators Spooner of Wisconsin, and Knox of Pennsylvania.

Senator Spooner won out by giving up his position on Cuban Relations.

Assignments of Knox.

Senator Knox was chairman of the Coast Defense Committee, and becomes a member of Indian Affairs, Intercoastal Canals and Organization of the Executive Departments. Senator Crane gets the chairmanship of Industrial Expositions and membership of Canadian Relations, Civil Service, Post Offices and Post Roads, Public Buildings and Grounds.

Dick of Ohio becomes chairman of Indian Depredations and a member of Emancipated Slaves, Mines and Mining, Naval Affairs and Territories.

Senator Platt of Connecticut also gave up his place in the Committee on Indian Affairs, having succeeded to one of the most important chairmanships in the Senate, that on Judiciary.

## BIG CROWD WAITS FOR MRS. CHADWICK

Curious People Gather at Cleveland Station. Federal Grand Jury Commences Investigation.

CLEVELAND, Ohio, Dec. 14.—There was a crowd of curious people at the Union Station here at 11 o'clock, awaiting the arrival of Mrs. Chadwick.

The train was very late, but the crowd did not disperse.

The Federal grand jury this morning commenced an investigation of the Chadwick case. It is composed of nineteen members. Judge Wing made a brief charge, cautioning the utmost secrecy, and telling the jurors they were especially called together to consider a case so important that it could not wait for investigation by the regular jury.

### BIG BAIL TO BE ASKED.

The prospects are that Mrs. Chadwick will be compelled to go to jail unless she can give bail to the amount of \$50,000, and she may be asked to furnish surety as high as \$25,000.

United States District Attorney Sullivan said he did not care to discuss what action he would take after Mrs. Chadwick's arrival, but added significantly:

"I believe that they held her in bonds of \$15,000 in New York on the charge which she is to answer here. I will not say what I will ask, but you know when she comes here, it's the same old charge."

County Prosecutor Kieker was definite and precise.

"Of course," he said, "the case of Cuyahoga county against Mrs. Chadwick cannot come up until after the Federal case has been disposed of. If Mrs. Chadwick gives the bond which District Attorney Sullivan will demand, I shall immediately cause her rearrest under the two indictments found against her Monday, and I will ask that she give a bond of \$12,500 on each indictment, or a total surety of \$25,000."

### Receipt for Prisoner.

Mrs. Chadwick will be delivered to Marshal Chandler in his office in the Federal Building by the deputy marshals.

### Rare Art Collection.

Embracing Tapestries, Persian Carpets and Rugs, Furniture of the French, Italian, and English schools, gathered with an exquisite knowledge and unusual facilities, will be on exhibition in the Arlington Hotel ballroom, December 14, 15, and 16, from 10 a. m. to 11 p. m. No collection of like merit was ever shown in Washington. In value the display represents about a million dollars. No admission charge is made.—Adv.

from New York, and he will sign a receipt, which he has in readiness. He also will sign the Federal court's order of removal, which the deputies escorting Mrs. Chadwick bring with them.

The marshal announces he has anticipated the curious crowd and will keep the Federal building clear of all but those who had business with Mrs. Chadwick.

He further said that Mrs. Chadwick would be brought before Judge Wing, who would be sitting in the United States district court, where, if she could give bonds, she would be released. Failing to do this she would be handed over to Sheriff E. D. Barry and will be placed in jail.

Another Indictment Possible.

There is a possibility, however, of an indictment being found against Mrs. Chadwick by the Federal grand jury today. In that event she will be immediately brought before Judge Wing on that indictment, instead of holding on a warrant, as she is now detained.

Sheldon O. Karpis, who probably appears in Mrs. Chadwick's behalf, Judge Aldough, of Canton, who has appeared as counsel for her on former occasions, has announced that he would not be able to be in Cleveland today. Mr. Karpis received word from Mrs. Chadwick asking him to meet her the first thing this morning, and his supposition is that she wishes him to conduct her defense.

CHADWICK WOMAN OFF TO CLEVELAND

NEW YORK, Dec. 14.—Braving all the charges heaped up against her in Ohio, confident of her ability to escape punishment, Mrs. Chadwick left New York for Cleveland today.

(Continued on Second Page.)

## SWAYNE IMPEACHED FOR HIGH CRIMES AND MISDEMEANORS

Case Taken Up Before Bar of the U. S. Senate.

### HOUSE ACCUSES JUDGE

Committee of Representatives Lays Formal Charges Before Upper House.

Before the bar of the Senate of the United States at 12:30 o'clock today, Judge Charles Swayne was impeached of high crimes and misdemeanors in official life.

Just as the Senate was about to give unanimous consideration to a private bill at 12:25 o'clock this afternoon, there was a stir at the main door. A messenger of the House, followed by the special committee of five appointed to impeach Judge Charles Swayne, of the Northern district of Florida, entered.

"Just a moment," announced the Chair, turning to Senator Dubois, whose bill was before the Senate.

Messenger Received.

Then facing the messenger he said:

"The Senate will receive a message from the House of Representatives."

The noise in the chamber became still as the messenger reported the resolution of impeachment, adopted by the House of Representatives, reading it in full. He had hardly finished a sweeping bow as he stepped aside, when the assistant sergeant-at-arms of the Senate announced:

"I announce to the Senate the special committee."

"The Senate will receive the committee," said the President pro tem.

The delegation, headed by Representative Palmer of Pennsylvania, and consisting of himself and Representatives Jenkins of Wisconsin, Gillett of California, Clayton of Alabama, and Smith of Kentucky, advanced to the bar of the Senate. Absolute silence prevailed throughout the chamber and in the crowded galleries. Every eye was centered upon the committee as Chairman Palmer in a firm, strong voice announced his mission.

Judge Swayne Impeached.

He said:

"Mr. President: "In obedience to the order of the House of Representatives we appear before you, and in the name of the House of Representatives and of all the people of the United States of America, we do impeach Charles Swayne, Judge of the district court of the United States for the Northern district of Florida, of high crimes and misdemeanors in office."

"And we further inform the Senate that the House of Representatives will in due time exhibit articles of impeachment against him and make good the same."

"And in their name we demand that the Senate shall take order for the appearance of the said Charles Swayne to answer said impeachment."

The Senate's Reply.

President pro tem, Frye, who had been standing during the entire proceeding, at the conclusion of Mr. Palmer's remarks slowly and deliberately announced:

"Mr. Chairman and Gentlemen of the Committee of the House of Representatives:

"The Chair begs to assure you that the Senate will take proper order in the premises, notice of which will be given to the House in due time."

He bowed as he concluded.

Chairman Palmer and the members of the committee bowed in recognition and, turning, were escorted from the chamber by Sergeant-at-Arms Russell, who had preceded them to the bar of the Senate.

In the House the Senate's reception of the impeachment was reported by Mr. Palmer and the committee was discharged.

The impeachment resolution passed the House late yesterday afternoon by an unanimous vote.

The resolution, introduced by Representative Palmer of Pennsylvania, is as follows:

"Resolved, That Charles Swayne, Judge of the United States district court for the Northern district of Florida, be impeached of high crimes and misdemeanors."

At the Bar of the Senate.

The House passed also a resolution providing for the actual impeachment of Judge Swayne at the bar of the Senate. The resolution reads:

"Resolved, That a committee of five be appointed to go to the Senate and at the bar thereof, in the name of the House of Representatives and of all the people of the United States, to impeach Charles Swayne of high crimes and misdemeanors in office and to request the Senate that the House of Representatives will in due time exhibit particular articles of impeachment against him and make good the same and that the committee do demand that the Senate take order for the appearance of said Charles Swayne to answer said impeachment."

In accordance with the terms of this resolution the Speaker appointed Representatives Palmer of Pennsylvania, Jenkins of Wisconsin, Gillett of California, Clayton of Alabama, and Smith of Kentucky.

To Prepare Impeachment.

A resolution was also passed, providing for a special committee of seven members, to prepare articles of impeachment. Immediately after the reading of the journal in the House today Speaker New Overcastings. Wineman, 914 P. Adv.